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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/068,480

02/07/2002

Barry S. Bosik

2001-0506

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10/06/2005

AT&T CORP.

P.O. BOX 4110

MIDDLETOWN, NJ 07748

EXAMINER

HASHEM, LISA

ART UNIT

PAPER NUMBER

2645

DATE MAILED: 10/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/068,480

Applicant(s)

BOSIK ET AL.

Examiner

Lisa Hashem

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 July 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6, 11-14, 17-23 and 26-35 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 4-6, 11-14, 17-23, and 26-35 is/are rejected.
- 7) ☒ Claim(s) 2 and 3 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                        |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>7-11-05</u> . | 6) <input type="checkbox"/> Other: _____   |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 4-6, and 33-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application No. 2001/0003706 by Warburton et al, hereinafter Warburton in view of U.S. Patent No. 5,933,744 by Bertocci, hereinafter Bertocci.

Regarding claim 1, Warburton discloses a method for providing wired line telephone (Fig. 1, 4) and mobile telephone (Fig. 1: 3a, 3b) cross-usage (section 0005, lines 14-18; section 0006, lines 1-8; section 0023, lines 1-21) comprising: activating call forwarding (or call diversion) of incoming wired line telephone calls (e.g. incoming calls over the fixed exchange line (Fig. 1, 6) with a primary number or alternative number) to a subscriber's mobile telephone () upon absent response of said mobile telephone (depending on said mobile telephone's range from a cordless base station antenna (Fig. 2, 2)); and de-activating call forwarding of incoming wired line telephone calls to the subscriber's mobile telephone upon present response of said mobile telephone (depending on said mobile telephone's range from a cordless base station antenna (Fig. 2, 2)). Warburton further discloses a detector (Fig. 2, 13) detecting a presence and absence of a mobile telephone in a customer premises equipment (CPE) cradle (Fig. 2, 16).

Warburton does not disclose activating call forwarding upon removal of said mobile telephone from a customer premises equipment (CPE) cradle and de-activating call forwarding upon placement of said mobile telephone into said CPE cradle.

Bertocci discloses a method for providing wired line telephone and mobile telephone cross-usage (see Abstract) comprising the steps of: activating call forwarding of incoming mobile telephone calls to a subscriber's home wired line telephone upon placement of said mobile telephone (Fig. 1, 10) into a customer premises equipment (CPE) cradle or cellular recharger (Fig. 1, 30) (col. 1, lines 49-64); and de-activating call forwarding of incoming mobile telephone calls to the subscriber's home wired line telephone upon removal of said mobile telephone from said CPE cradle (col. 1, line 64 – col. 2, line 2; col. 4, line 64 – col. 5, line 11).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Warburton such that it includes a CPE cradle as taught by Bertocci. One of ordinary skill in the art would have been lead to make such a modification since activating and de-activating a call forwarding method comprises removal of the mobile telephone from the CPE cradle and placement of the mobile telephone on the CPE cradle, respectively, wherein the signals in the control circuit of the CPE cradle can control the actions involved in removing and placing the mobile telephone in the CPE cradle (Bertocci: col. 5, lines 12-25). The call forwarding method can be programmed automatically when a wire line is detected or manually via a feature code.

Regarding claim 4, the method according to claim 1, wherein Bertocci further discloses: activating call forwarding of incoming mobile telephone calls to a subscriber's wired line telephone upon placement of said mobile telephone (Fig. 1, 10) into a customer premises

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equipment (CPE) cradle or cellular recharger (Fig. 1, 30) (col. 1, lines 49-64); and de-activating call forwarding of incoming mobile telephone calls to the subscriber's wired line telephone upon removal of said mobile telephone from said CPE cradle (col. 1, line 64 – col. 2, line 2; col. 4, line 64 – col. 5, line 11).

Regarding claim 5, the method according to claim 4, wherein Bertocci further discloses said activating call forwarding of incoming mobile telephone calls to said subscriber's home line telephone further comprises: detecting by said CPE cradle a placing of said mobile telephone in said CPE cradle when said mobile telephone is placed in said CPE cradle; seizing by said CPE cradle a home wired line (col. 3, line 39-42; col. 4, line 64 – col. 5, line 17); placing by said CPE cradle a telephone call to a pre-specified activation telephone number to a Call Forwarding Activation De-Activation Server (CFADS) or terminal location register (TLR) (Fig. 1, 17) to activate call forwarding to the wired line telephone (col. 3, lines 43-46); receiving by CFADS said telephone call from said CPE cradle on said pre-specified activation telephone number via a modem; activating call forwarding of incoming calls to said mobile telephone to said wired line telephone using an Automatic Number Identification (ANI) by CFADS, wherein the mobile station user enters a desired temporary line dialing number to reroute calls (col. 3, lines 54-62); and inherently hanging up said wired line by said CPE cradle, having activated mobile telephone call forwarding to the home (col. 3, lines 1-9; col. 3, lines 62-65; col. 5, lines 41-58).

Regarding claim 6, the method according to claim 4, wherein Bertocci further discloses de-activating call forwarding of incoming mobile telephone calls to a subscriber's wired line telephone (col. 1, line 64 – col. 2, line 2) further comprises: detecting by said CPE cradle of a removal of said mobile telephone from said CPE cradle; seizing a wired line by said CPE cradle;

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dialing by said CPE cradle a pre-specified de-activation telephone number to a Call Forwarding Activation De-Activation Server (CFADS) in order to de-activate call forwarding of incoming mobile telephone calls to said subscriber's wired line telephone; receiving by CFADS said telephone call on said pre-specified de-activation telephone number; de-activating said call forwarding of incoming mobile telephone calls for said mobile telephone to said wired line telephone by using Automatic Number Identification (ANI); and hanging up said wired line by said CPE cradle, having de-activated mobile telephone call forwarding to the home (col. 3, line 19 – col. 4, line 6; col. 5, line 59 – col. 6, line 8)).

Regarding claim 33, please see the rejection to claim 1 above.

Regarding claim 34, the method of claim 33, wherein Warburton further discloses the subscriber's PSTN phone is one of wired line telephone (Fig. 1, 4) and a portable telephone (Fig. 1: 3a, 3b) using a base station (Fig. 1, 1).

Regarding claim 35, the method of claim 34, wherein Bertocci further discloses the base station is located outside of the customer's premises (Bertocci: col. 1, lines 42-46; col. 5, lines 9-11; see Fig. 2).

3. Claims 11-14, 17-23, and 26-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,526,403 by Tam, hereinafter Tam in view of Bertocci.

Regarding claims 11 and 12, Tam discloses a customer premises equipment (CPE) cradle (Figure 5, 14) for providing wired line and mobile telephone cross-usage comprising: a housing; said housing having at least one conventional telephone jack receptacles (see Figure 1 and Figure 2C; col. 3, lines 56-59); said conventional telephone jack receptacle of said housing for receiving a conventional telephone cable with a first conventional telephone jack at a first

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end, said first conventional telephone cable having a second conventional telephone jack at a second end to be connected at said second end into a conventional home telephone wall jack receptacle (see Figure 1); said housing further having a charging device within said housing (col. 3, lines 48-54); said housing further having at least one connector pin for positively engaging said mobile telephone (col. 3, lines 60-65); said housing further inherently having a detection switch for sensing one of an insertion and removal of the mobile telephone from said CPE cradle (col. 7, lines 37-55; col. 8, lines 10-22); and said housing further having a programmable module or transceiver processor within said housing (col. 5, lines 27-33; col. 6, lines 36-48; Figure 5, 124), wherein said programmable module is programmed to activate call forwarding to a mobile telephone and de-activate call forwarding to a mobile telephone (col. 7, lines 20-45; col. 8, lines 16-22).

Tam does not disclose activating call forwarding upon removal of said mobile telephone from a customer premises equipment (CPE) cradle de-activating call forwarding upon insertion of said mobile telephone into said CPE cradle.

Bertocci discloses a method for providing wired line telephone and mobile telephone cross-usage (see Abstract) comprising the steps of: activating call forwarding of incoming mobile telephone calls to a subscriber's home wired line telephone upon placement of said mobile telephone (Fig. 1, 10) into a customer premises equipment (CPE) cradle or cellular recharger (Fig. 1, 30) (col. 1, lines 49-64); and de-activating call forwarding of incoming mobile telephone calls to the subscriber's home wired line telephone upon removal of said mobile telephone from said CPE cradle (col. 1, line 64 – col. 2, line 2; col. 4, line 64 – col. 5, line 11).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the CPE cradle of Tam such that it includes a CPE cradle as taught by Bertocci. One of ordinary skill in the art would have been lead to make such a modification since activating and de-activating a call forwarding method comprises removal of the mobile telephone from the CPE cradle and placement of the mobile telephone on the CPE cradle, respectively, wherein the signals in the control circuit of the CPE cradle can control the actions involved in removing and placing the mobile telephone in the CPE cradle (Bertocci: col. 5, lines 12-25).

Regarding claims 13 and 14, the CPE cradle according to claim 11 mentioned above, wherein Tam further discloses said programmable module is programmed to activate call forwarding from said mobile telephone to a wired line telephone (col. 7, lines 20-33). Wherein Tam further discloses said programmable module is programmed to de-activate call forwarding from said mobile telephone to a wired line telephone; this can be done automatically (col. 8, lines 16-22).

Tam does not disclose inserting and removing the mobile telephone to and from said CPE cradle, respectively, to activate and de-activate call forwarding, respectively.

Please see the rejections to claims 11 and 12 of Tam in view of Bertocci, above, respectively, to reject claims 13 and 14 in regards to inserting (placing) and removing the mobile telephone to and from said CPE cradle, respectively.

Regarding claim 17, the CPE cradle according to claim 11 mentioned above, wherein Tam further discloses said programmable module is inherently programmable by service



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personnel at a point of sale, when the call forwarding method is performed automatically (col. 7, lines 20-23).

Regarding claim 18, the CPE cradle according to claim 11 mentioned above, wherein Tam further discloses said programmable module is programmable by a subscriber (col. 7, lines 23-28; col. 8, lines 16-22).

Regarding claim 19, the CPE cradle according to claim 11 mentioned above, wherein Tam further discloses said programmable module is inherently programmable by service personnel replacing said programmable module or processor when system software is upgraded, wherein said module performs operations automatically (col. 7, lines 20-23).

Regarding claim 20, the CPE cradle according to claim 11 mentioned above, wherein Tam further discloses said activation is performed automatically (col. 7, lines 20-23).

Regarding claim 21, the CPE cradle according to claim 12 mentioned above, wherein Tam further discloses said de-activation is performed automatically (col. 8, lines 19-22).

Regarding claim 22, the CPE cradle according to claim 13 mentioned above, wherein Tam further discloses said activation is performed automatically (col. 7, lines 20-23).

Regarding claim 23, the CPE cradle according to claim 14 mentioned above, wherein Tam further discloses said de-activation is performed automatically (col. 8, lines 19-22).

Regarding claim 26, the CPE cradle according to claim 11 mentioned above, wherein Tam further discloses said detection switch inherently has two positions and triggers one of call forwarding activation and call forwarding de-activation depending upon a position of said detection switch (col. 7, lines 37-55; col. 8, lines 10-22).

Regarding claim 27, the customer premises equipment (CPE) cradle for providing wired line and mobile telephone cross-usage according to claim 11 mentioned above, wherein Tam further discloses said housing is made of any material capable of being formed such that at least one surface is flat so that said housing may be placed on a surface adjacent to a wired line telephone, wherein the handset acts as a full-feature telephone and full-feature mobile telephone (see Figure 5: 14, 11).

Regarding claim 28, the customer premises equipment (CPE) cradle for providing wired line and mobile telephone cross-usage according to claim 27 mentioned above, wherein Tam further discloses said housing is further formed such that a surface opposed to said flat surface supports said mobile telephone upon insertion of said mobile telephone into said CPE cradle (see Figure 1 and Figure 5).

Regarding claim 29, the customer premises equipment (CPE) cradle for providing wired line and mobile telephone cross-usage according to claim 11 mentioned above, wherein Tam further discloses a second conventional jack receptacle of said housing for receiving a second conventional telephone cable with a first conventional telephone jack at a first end, said second conventional telephone cable having a second conventional telephone jack at a second end to be connected into said wired line telephone having a conventional telephone jack (see Figure 1 and Figure 2C; col. 3, lines 56-59).

Regarding claim 30, the customer premises equipment (CPE) cradle for providing wired line and mobile telephone cross-usage according to claim 11 mentioned above, wherein Tam further discloses said housing further has a charging device within said housing (col. 3, lines 48-54; see Figure 1).

Regarding claim 31, the customer premises equipment (CPE) cradle for providing wired line and mobile telephone cross-usage according to claim 11 mentioned above, wherein Tam further discloses said housing further has at least one connector pin for positively engaging said mobile telephone (col. 3, lines 60-65).

Regarding claim 32, the customer premises equipment (CPE) cradle for providing wired line and mobile telephone cross-usage according to claim 30 mentioned above, wherein Tam further discloses said housing having at least one charging pin, said at least one charging pin being further used to charge said mobile telephone by transferring power from available household current through one of an AC adapter and a power plug and cord and further through said charging device (col. 3, line 48 – col. 4, line 5).

***Allowable Subject Matter***

4. Claims 2 and 3 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Examiner suggests combining claims 2 and 3 in independent claim 1.

***Response to Arguments***

5. Applicant's arguments with respect to claims 1, 4-6, 11-14, 17-23, and 26-32 have been considered but are moot in view of the new ground(s) of rejection.

6. Applicant's arguments, see Amendment, filed 7-11-2005, with respect to the rejection(s) of claim(s) 33-35 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made. Please see all rejections above.

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7. Accordingly, this action is **NON-FINAL**.

*Conclusion*

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- U.S. Patent Application No. 2003/0181202 by Link, II et al disclose upon detecting a presence of a wireless telephone in a socket (of a cradle), automatically forwarding telephone service for the wireless telephone to a previously-stored forwarding directory number

9. Any response to this action should be mailed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Or faxed to:**

(571) 273-8300 (for formal communications intended for entry)

**Or call:**

(571) 272-2600 (for customer service assistance)

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lisa Hashem whose telephone number is (571) 272-7542. The examiner can normally be reached on M-F 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

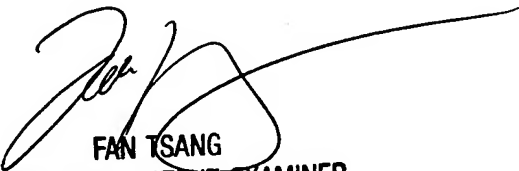
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11. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LH

lh

October 2, 2005

  
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